IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 19TH MARCH 2007 / 28TH PHALGUNA 1928

WP(C).No. 5258 of 2007(A)

PETITIONER:

M/S. SRI. LAKSHMI ELECTROMELTERS (P) LTD., 182, INDUSTRIAL DEVELOPMENT AREA, ERUMATHALA P.O., ALUVA, REPRESENTED BY ITS GENERAL MANAGER.

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN

RESPONDENTS:
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1. **KERALA STATE ELECTRICITY BOARD, REPRESENTED BY ITS SECRETARY, VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**

2. **SPECIAL OFFICER (REVENUE), KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**

BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVINGBEEN FINALLY HEARD ON 19/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO. 5258/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PROCEEDINGS DT.17.12.06 OF THE CHIEF ELCTRICAL INSPECTOR, THIRUVANANTHAPURAM.

EXT.P2:- COPY OF THE RECEIPT DT.26.12.96 ISSUED ON BEHALF OF THE 1ST RESPONDENT FOR AN AMOUNT OF RS. 18,36,000/-.

EXT.P3:- COPY OF THE RELEVANT EXTRACT OF THE AGREEMENT DT.26.12.96.

EXT.P4:- COPY OF THE CERTIFICATE OF POWER CONNECTION ISSUED ON BEHALF OF THE 1ST RESPONDENT.

EXT.P5:- COPY OF THE GOVERNMENT ORDER G.O.MS/4/92 DT.6.2.92.

EXT.P6:- COPY OF THE BOARD ORDER DT.27.3.92.

EXT.P7:- COPY OF THE CERTIFICATE DT.5.3.97 ISSUED BY THE DISTRICT INDUSTRIES CENTRE.

EXT.P8:- COPY OF THE JUDGMENT DT.23.3.99 OP.8365/97.

EXT.P9:- COPY OF THE LETTER DT.15.9.99.

EXT.P10:- COPY OF THE JUDGMENT DT.4.11.03 IN W.A.NO.2343/98.

EXT.P11:- COPY OF THE LETTER DT.30.1.07 ISSUED BY THE 2ND RESPONDENT .

EXT.P12:- COPY OF THE REPRESENTATION DT.12.2.07.

EXT.P12(a):- COPY OF THE POSTAL RECEIPT.

/TRUE COPY/

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K.BALAKRISHNAN NAIR, J.

W.P.(C).No.5258 of 2007-A

Dated this the 19th day of March, 2007

JUDGMENT

The petitioner has approached this Court feeling aggrieved by Ext.P11 bill. Against that, the petitioner has preferred Ext.P12 representation. It prays for a direction to the competent authority of the K.S.E.B. to take a decision on Ext.P12, in the light of Ext.P10 Division Bench judgment of this Court.

2. The learned Standing Counsel for the K.S.E.B. submitted that Ext.P12 is received and pending. The revenue recovery steps presently initiated will cover all the amounts due to the K.S.E.B. including those payable by the petitioner on the ground of theft of electrical energy.

3. The second respondent is directed to consider and pass orders on Ext.P12, in accordance with law, after affording an opportunity of being heard to the petitioner. The petitioner prays for stay of further recovery pending disposal of P12. Till final decision on Ext.P12 is taken, revenue recovery steps can be proceeded against the petitioner, except the actual sale, for recovering the above amount.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS